

**Board of Selectmen
Town of East Windsor
11 Rye Street
East Windsor, CT**

**MINUTES OF REGULAR MEETING,
November 15, 2011 at 7:00 p.m.**

These minutes are not official until approved at a subsequent meeting.

Members Present: Mark Simmons, John L. Burnham, Gilbert Hayes, and Richard P. Pippin, Jr.
Members Absent: Denise Menard
Others: Dale Nelson, Alan Baker, James C. Richards, Kathy Pippin, Len Norton, Lori Gabriel, Brenda Crockett, Laura Harney, Chris Arre Jim Barton, and others
Press: C. Garfman (Journal Inquirer) and L. Smith (Patch.com)

I. Call to Order

Deputy First Selectman Mark Simmons called the Regular Meeting to Order at 7:00 p.m., in the East Windsor Town Hall.

II. Attendance

Mark Simmons, Deputy Selectman
John L. Burnham, Selectman
Gilbert Hayes, Selectman
Richard P. Pippin, Jr., Selectman

III. Added Agenda Item

None.

IV. Approval of Minutes

Minutes of November 1, 2011 Regular Meeting

An error was noted in the November 1, 2011 Regular Meeting Minutes. An amendment to the minutes in Section X., .Subparagraph b, Paragraph 1 is noted. The following is the noted amendment:

“...to undertake certain improvements at Kogut Farms on Chamberlain Road.”

to

“...to undertake certain improvements at Kogut Farms on Chamberlain Road, which property is owned by the Town of East Windsor.”

An error was noted in the November 1, 2011 Regular Meeting Minutes. An amendment to the minutes in Section VI., Subparagraph c, Paragraph 1 is noted. The following is the noted amendment:

“...she would place this subject on the agenda for the next meeting in two weeks.”

to

“...she would place this subject on the next agenda meeting for the newly elected Board of Selectmen to discuss further.”

It was **MOVED** (Burnham) and **SECONDED** (Hayes) and **PASSED** (U) that the Board of Selectmen approves the minutes of November 1, 2011 Regular Meeting, as amended.

V. Public Participation

Mr. Jim Barton, 158 South Water Street, addressed the Board. He wanted to inquire with the Board why on the agenda appointments and re-appointments have not been discussed in the last couple of months. He is a member of the Veteran's Commission and the Commission has requested a few alternates be appointed to the Commission and it has not yet been acted upon. Mr. Simmons and Mr. Hayes indicated that according to the Town Charter, appointments or reappointments can not be made during the election of a new Board of Selectman and twenty-two days thereafter the election. Mr. Barton then inquired if those persons who are requesting appointments and reappointments need to complete new paperwork. Mr. Simmons indicated the public participation is not for debating a subject; however, he is not sure if they have to complete new paperwork, but they should contact the Selectman's Office to get the proper procedures.

VI. Communications

Mr. Simmons indicated that he has received emails from a resident, Mr. Richard York and Mr. Len Norton in response to Mr. York's emails. He has given copies to all of the Board Members for their review. Those emails are attached hereto and marked Exhibit A.

VII. Selectmen's Reports

a. Denise Menard, First Selectman

Due to her absence, no report was given.

b. Mark Simmons, Deputy First Selectman

Mr. Simmons wanted to express his thanks and appreciation to all of the Board Members he has worked with in the past four years. He has enjoyed his tenure on the Board, it was a learning experience.

c. John L. Burnham, Selectman

Mr. Burnham agreed with Mr. Simmons indicating it has been a pleasure working with this Board and the people who serve it. He wished the new Board of Selectmen the very best of luck.

d. Gilbert Hayes, Selectman

Mr. Hayes commented that he has formed friendships from serving on this Board and he will miss that aspect. It has been a honor to serve the Town of East Windsor.

e. Richard P. Pippin, Jr., Selectman

Mr. Pippin remarked that it has been great working with Mr. Simmons, Mr. Burnham, and Mr. Hayes.

VIII. Board and Commission Resignations and Appointments

Ms. Menard noted that due to the Town Elections being held on November 8, 2011, no appointments/reappointments will be made after October 4, 2011 Regular Meeting pursuant to Section 7-1b of the Town Charter.

a. Resignations: None

b. Re-Appointments: None

c. New Appointments: None

d. Board and Commission Current Vacancy List

The list was given to all the Board Members for their review.

IX. Unfinished Business

**a. Discussion Regarding Debris Management Resulting from
October 29 – 30, 2011 Snow Storm**

Mr. Simmons invited Mr. Len Norton, Director of Public Works and Engineering to address the Board regarding the debris management from the October 29 – 30, 2011 snow storm. It was suggested by Mr. Pippin that the new Board elects, Mr. James Richards, Ms. Dale Nelson, and Mr. Alan Baker, also be invited to listen to the discussion. Mr. Norton indicated as of Friday of last week, the Governor is still waiting for the confirmation that aid will be coming from the Federal Government. He indicated that some towns in the area have already had FEMA representatives visit their towns to inspect the damages caused by the storm and to receive information regarding a possible reimbursement. However, if FEMA reimbursement is not obtained, there is no plan in place presently on how to remove all the debris. The Public Works Department is a small department of only seven people. Mr. Norton's concern is that even if FEMA does reimbursement 75% of the cost of the removal of the debris, where in the budget will the remaining 25% of the cost. A good thing would be more and more of the debris being dropped off at the garage. Everyday people are coming and dropping off the debris. Some of the debris dropped off is coming from private contractors who have been hired by homeowners for removal.

Mr. Simmons remarked of the limbs that are still hanging over roads and what is the timetable for removing those limbs. Mr. Norton informed the Board that he has been in contact with CL&P and they have indicated those limbs is their responsibility and a tree crew will be assigned assuming those limbs are hanging on or near wires.

Mr. Norton mentioned that he is also concerned that FEMA does not reimburse for over-time costs in a non-emergency type of situation. Clean-up from a storm is not considered an emergency and that has to be done on a straight time not over-time. However, if FEMA does grant funding for clean-up, the Town can go out to bid for contractors to help cleaning the debris. Mr. Simmons inquired if the job would go out to bid since the job may cost \$20,000. Mr. Norton indicated that he just received today information from FEMA on how the process has to be handled in order to receive federal funds. However, before that process can happen, he is waiting to see if federal funds are going to be available. Mr. Simmons commented that after the bids go out and are approved, he believes the next step is a Town Meeting to approve those bids. Ms. Nelson inquired since an emergency has been declared; does it still have to go to a Town Meeting? Mr. Baker asked if it is still concerned an emergency? Mr. Pippin remarked that it was an emergency, but that has since been rescinded. Mr. Norton indicated that a disaster is classified as

Category A, B, or C. Mr. Pippin commented that time is of the essence to have this clean up completed before the snow comes.

The discussion continued about other towns not being responsible for picking up the piles of brush and having the residents drop off the debris. There was some mention of people abusing the drop-off and the possibility of setting standards of what can be dropped off at the town garage. Mr. Norton commented that is difficult to watch 24 hours a day who comes and goes. One person was turned away trying to drop off old decking from his house. Some people have reported seeing people with Massachusetts plates dropping off debris. Mr. Norton reminded everyone, some people may be borrowing a relative's pick-up truck and/or it could be relatives dropping off the debris.

The conversation continued regarding the cost and the Town's responsibility of removing same. Mr. Norton estimates that there is approximately 2500 cubic yards of debris. The average cost of removal is approximately \$30.00 per cubic yard. Approximately \$225,000 will be the cost of the removal. The job can go out to bid and the lowest bidder, assuming all of their references, licenses and insurance information is legitimate.

Mr. Burnham commented to Mr. Norton that his department is doing a terrific job and indicated that a local resident, Mr. Ron Holcutt has suggested having a town bonfire with all of the debris to celebrate the year we all just survived! The conversation continued regarding the debris and the plan of removing it and the time line given the winter months are approaching. Mr. Norton indicated he has been receiving communications from residents regarding the removal and the obligation of the town for removing it. One of his main concerns is the elderly and disabled not being able to remove the brush or having the funds to have someone remove it. But with budget constraints it is going to be difficult for the Town to remove it. Mr. Burnham questioned if it is essential for the Town to remove the debris. Mr. Hayes indicated that garbage pick-up is essential and is a service the taxpayers are paying for. This storm we just experienced was one of the worse storms that we have had in over 100 years. It may not be an emergency, but the Town needs to address how the debris will be disposed. Mr. Baker inquired if homeowner's insurance will cover the costs. Ms. Nelson commented that only if the tree hit a house or car with the homeowner's insurance be responsible. Mr. Richards thought that people who are in need of assistance, such as the elderly or disabled, should be given assistance. The Human Services Department may have a list of people who would be in that classification.

A brief discussion was held. Mr. Simmons reminded everyone that another expense which the Town is going to have to address is the issue of the MBR for the Board of Education. That cost is an unanticipated \$105,000 from the budget. The discussion continued of where the money will come from. A suggestion was made to borrow monies to pay for the extra expenses. Mr.

Norton indicated there is a lot of brush on the side of the roads and jokingly stated that maybe a “brush fairy” would come and pick it all up.

Mr. Simmons indicated that the Town is going to wait to respond to all this debris until a decision is made by FEMA about reimbursement. Mr. Norton reminded again, that time is of the essence due the winter months approaching.

X. New Business

a. Tax Refunds

Mr. Simmons discussed an Application for Refund request from the Tax Collector dated November 14, 2011 wherein Ms. Samantha Lee, Tax Collector is requesting under Connecticut General Statutes Section 12-129 a refund from the Town of East Windsor in the amount of \$1,190.73.

It was **MOVED** (Burnham) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen approves the tax refunds in the amount of \$1,190.73 pursuant to the Tax Collector’s request of November 14, 2011.

XI. Adjournment

It was **MOVED** (Burnham/Hayes) and **SECONDED** (Pippin) and **PASSED** (U) that the Board of Selectmen adjourns the November 15, 2011 Regular Meeting at 7:42 p.m.

Respectfully Submitted,

Denise M. Piotrowicz
Recording Secretary

EXHIBIT A

From: Leonard Norton
To: lyork76769@sbcglobal.net
CC: DMenard@eastwindsorct.com, marksimmons074111@sbcglobal.net
Date: 11/15/2011 6:39 PM
Subject: Re: Storm debris

Mr. York:

First, you have no idea of the person that I am or the hours that I dedicate to the Town. I do not bury my head in the sand.

Second, I only suggested that you attend the Selectman's meeting so you might obtain information directly from the governing body of the Town. If you felt there would be a shouting match, then you must have planned on shouting. I certainly did not. See above.

Third, you appear to want to make this personal and I do not chose to engage you in such a contest. See first.

Based upon the above, I suggest that you direct all further emails and phone calls to the First Selectman's Office.

Thank you.

Len Norton

>>> "Richard York Jr." <lyork76769@sbcglobal.net> 11/15/11 4:45 PM >>>

Mr. Norton,

Thank God you do really exist. Sending my email to the First Selectman's office actually created the desired result.

You answered me!! Yes, I have Internet access - AT WORK. It allows me to see who to email and call for assistance at my Town Hall. I do not particularly enjoy being ignored when asking my town officials about situations such as we are going through. My comment about town employees hiding their head in the sand was not directed to all or even most town employees but rather - you. You are who I was referring to as an example of a town employee hiding his head in the sand rather than answer my email. Ninety Nine percent of people read their emails first thing after coming back from a three day holiday so they know what they might have missed over that span of time. Lame excuse and truly not believable for a person having your stature and responsibility of office.

I did look on the town's website and did not see "if unable to wait for a Town solution" on it. All I saw was the standard "cut debris in four foot lengths and bundle in no larger than six inches in diameter. That's going to be tough when half of the debris is over six inches in diameter to begin with.

I made numerous calls to your office and was repeatedly told that the town was adhering to its stated trash pickup policy. That's why I wrote the email in the first place - to get a response that sounded like someone was working on a solution rather than hiding behind the "in place" rhetoric regarding pick ups. I want my town officials to do something, like at least respond that they are working on something to go beyond the stated policy. This was and is a "beyond the stated policy" event. So now I will ask my question in another way. Is someone from the Town of East Windsor looking into the possibility of procuring funds from FEMA/State of CT as stated in news briefings by the Governor of CT? As I stated before, I have no problem with any other town employees so my presence at the First Selectman's meeting will only degrade to a shouting match between you and I. These emails have been cc'd to the proper people so everything is transparent. I know where you stand and you know where I stand.

EXHIBIT A CONTINUED

Just be aware, most of the people who have stacks of branches and debris laying on their front yards waiting for the town to do something, stand with me in their thought process. Just do the right thing, please.

Rich York

From: Leonard Norton <lnorton@eastwindsorct.com>
To: lyork76769@sbcglobal.net
Cc: Denise Menard <DMenard@eastwindsorct.com>; marksimmons074111@sbcglobal.net
Sent: Tue, November 15, 2011 2:53:33 PM
Subject: Re: Storm debris

Mr. Richard York, Jr.:

I can't believe that you have bothered the First Selectman with respect to the issue of debris clean-up. Based upon your first email, you have internet access and have checked the Town's website. This is more than some residents have available. The website states clearly that if unable to wait for a Town solution, you have the ability to take debris to the Town Garage. I am more concerned for elderly residents that may not have family in the area for help and may be on a limited fixed income that may need assistance in removing their debris than I am for people that have the ability to rent a truck or hire a contractor for removal. Ultimately, the Town did not put the debris in the yards and therefore, has no obligation to pick up the debris. Quite frankly, if the President does not sign the declaration for a Category A Disaster, the Town does not have the funds, manpower or equipment to facilitate a debris pick up.

The reason that your email has not been answered prior to this is because it was sent the afternoon before a three day holiday weekend. Monday was another busy day for me catching up on construction inspections that kept me out of the office for most of the day. It is difficult for me to tend to emails when out of the office. Most people have been patient and understanding.

As far as the State and Federal Governments are concerned, talk is cheap. Until a signature is on a declaration or bill stating that funding is available, funding is not available. As stated above, if funding is not made available, debris will not likely be picked up. Bare bones budgets are difficult enough to pass in this Town. There is never any "fluff" in the approved budgets to be utilized for events such as we just experienced.

With regard to your comment about Town Employees burying their heads in the sand, you obviously have no idea how many sleepless hours these dedicated people spent keeping the residents safe, clearing the roads for passage by emergency vehicles and working with CL & P to help to restore power to all residents. All the while, without power themselves. I take great exception to your ignorant comment for all of those people.

I strongly recommend that you attend tonight's Board of Selectmen's meeting at 7:00 pm at the Town Hall to voice your comments in person to all of those that you believe buried their heads in the sand.

Len Norton

EXHIBIT A CONTINUED

Director of Public Works/Town Engineer/Tree Warden

>>> "Richard York Jr." <lyork76769@sbcglobal.net> 11/14/11 9:24 PM >>>
Ms. Menard,
I have attached below a copy of an email sent to Mr. Norton on November 10, 2011

concerning the Town's role in organizing a general pickup of Storm Alfred debris

that lies near the edge of most streets in East Windsor. I have not had the courtesy of a return email from Mr. Norton. Would you be able to answer my question?
I don't think having town employees hide their heads in the sand is going to go far in resolving the problem of debris sitting by many East Windsor roadsides. Why can't you come up with some way of securing the available funds to remove the debris that most people have no way of removing? As the duly elected First Selectman, please take charge and take the necessary steps to make this happen.

Rich York

----- Forwarded Message -----
From: Richard York Jr. <lyork76769@sbcglobal.net>
To: lnorton@eastwindsorct.com
Sent: Thu, November 10, 2011 12:29:05 PM
Subject: Storm debris

Mr. Norton,
I can not believe the Town of East Windsor has not organized a general pickup of

storm debris for branches and tree limbs pulled to the edge of people's property near the street. This storm was a once in 100 years event that has filled most properties with massive amounts of tree and bush debris. Most people

in our town have no way of transporting this debris to the locations mentioned on-line. To stick to the standard garbage pickup rules governing yard waste is ludicrous to say the least. Piles and piles of debris will remain piled high near the streets waiting for the Town of East Windsor to take action. Gov. Molloy has said the Federal Gov. will be sending money to the state to cover costs related to cleanup. The state was going to send funds to the towns to pay for the cleanup. Why then is East Windsor not pursuing these funds and setting up a general debris pickup?

Rich York
33 Graham Rd.
Broad Brook, CT 06016
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